

REDSTONE ARSENAL

LEGAL ASSISTANCE OFFICE

***Uniform Services Former Spouses'
Protection Act Guide***



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As of 21 July 2005

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UNIFORMED SERVICES FORMER SPOUSE PROTECTION ACT DIVIDING MILITARY RETIRED PAY

I. HISTORY.

The Uniformed Services Former Spouse Protection Act (USFSPA) was passed by Congress in 1982. The USFSPA gives a State court the authority to treat military retired pay as marital property and divide it between the spouses. Congress' passage of the USFSPA was prompted by the United States Supreme Court's decision in *McCarty v. McCarty* in 1981.¹

The *McCarty* decision effectively precluded state courts from dividing military retired pay as an asset of the marriage. Justice Blackmun, writing for the majority, stated that allowing a state to divide retired pay would threaten "grave harm to 'clear and substantial' federal interests."² Accordingly, the Supremacy Clause of Article VI preempted the State's attempt to divide military retired pay. Congress, by enacting the USFSPA, clarified its intent that State courts have the power to divide what can be the largest asset of a marriage.

With the passage of the USFSPA, Congress took the opportunity to set forth various requirements to govern the division of military retired pay. Congress sought to make a fair system for military members, considering that their situation often exposes them to difficulties with civil litigation. Therefore, if a member is divorced while on active duty, the requirements of the Soldiers' and Sailors' Civil Relief Act (SSCRA)³ must be met before an award dividing military retired pay can be enforced under the USFSPA.⁴ The USFSPA contains its own jurisdictional requirement.⁵ It limits the amount of the member's retired pay which can be paid to a former spouse to 50% of the member's disposable retired pay (gross retired pay less authorized deductions).⁶ It requires that the parties must have been married for at least 10 years while the member performed at least 10 years of active duty service before a division of retired pay is enforceable under the USFSPA.⁷ It specifies how an award of military retired pay must be expressed.⁸

II. DOCUMENTS NEEDED TO DIVIDE MILITARY RETIRED PAY.

The USFSPA defines a "court order" dividing military retired pay enforceable under the Act as a "final decree of divorce, dissolution, annulment, or legal separation issued by a

¹ *McCarty v. McCarty*, 453 U.S. 210 (1981)

² *Id.* at 232.

³ See Soldier's and Sailor's Civil Relief Act, 10 U.S.C. App. § 501 et seq.

⁴ 10 U.S.C. § 1408(b)(1)(D).

⁵ 10 U.S.C. § 1408(c)(4).

⁶ 10 U.S.C. § 1408 (e)(1).

⁷ 10 U.S.C. § 1408 (d)(2).

⁸ 10 U.S.C. § 1408 (a)(2)(C).

court, or a court ordered, ratified, or approved property settlement incident to such a decree.”⁹ This also includes an order modifying a previously issued “court order.”

Since military retired pay is a Federal entitlement, and not a qualified pension plan, there is no requirement that a Qualified Domestic Relations Order (QDRO) be used. As long as the award is set forth in the divorce decree or other court order in an acceptable manner, that is sufficient. It is also not necessary to judicially join the “member’s plan” as a part of the divorce proceeding. There is no Federal statutory authority for this. The award may also be set forth in a court ratified or approved separation agreement, or other court order issued incident to the divorce.

In order to submit an application for payments under the USFSPA, a former spouse needs to submit a copy of the applicable court order certified by the clerk of court within 90 days immediately preceding its service on the designated agent,¹⁰ along with a completed application form (DD Form 2293).¹¹ Instructions, including designated agent names and addresses, are on the back of the DD Form 2293. The Defense Finance and Accounting Service (DFAS) is the designated agent for all uniformed military services. The Form and instructions can be downloaded from our DFAS website at www.dfas.mil. Click on Money Matters, then Garnishments.

III. REQUIREMENTS FOR ENFORCEABILITY UNDER USFSPA.

a. Soldiers’ and Sailors’ Civil Relief Act.

The provision of the SSCRA that has primary application to the USFSPA and the division of military retired pay is the section concerning default judgments against active duty service members. This section requires that if an active duty defendant fails to make an appearance in a legal proceeding, the plaintiff must file an affidavit with the court informing the court of the member’s military status. The court shall appoint an attorney to represent the interests of the absent defendant.¹² Since a member has 90 days after separation from active duty service to apply to a court rendering a judgment to re-open a case on SSCRA grounds¹³, the SSCRA is not a USFSPA issue where a member has been retired for more than 90 days.

b. The 10/10 requirement.

This is a “killer” requirement. For a division of retired pay as property award to be enforceable under the USFSPA, the former spouse must have been married to the member for a period of 10 years or more during which the member performed at least 10

⁹ 10 U.S.C. § 1408(a)(2).

¹⁰ 32 CFR § 63.6(c)(2).

¹¹ 32 CFR § 63.6(b)(1).

¹² 10 U.S.C. App. § 520(1).

¹³ 10 U.S.C. App. § 520(4).

years of service creditable towards retirement eligibility.¹⁴ This requirement does not apply to the Court's authority to divide military retired pay, but only to the ability of the former spouse to get direct payments from DFAS. This is a statutory requirement, and not a personal right of the member that can be waived. Although this requirement was probably included in the USFSPA to protect members, we have had more complaints about it from members than from former spouses. Assuming that a member intends to meet his or her legal obligations, the member would much rather have us pay the former spouse directly rather than have to write a check each month. It would lessen contact with the former spouse, and the former spouse would receive her or his own IRS Form 1099, instead of the member being taxed on the entire amount of military retired pay.

If we cannot determine from the court order whether the 10/10 requirement has been met, we may ask the former spouse to provide a copy of the parties' marriage certificate. A recitation in the court order such as, "The parties were married for 10 years or more while the member performed 10 years or more of military service creditable for retirement purposes" will satisfy the 10/10 requirement.

c. Jurisdiction.

The USFSPA's jurisdictional requirement is found in 10 U.S.C. § 1408(c)(4). This is another "killer" requirement. If it is not met, the former spouse's application for retired pay as property payments under the USFSPA will be rejected. For a court to have the authority to divide military retired pay, the USFSPA requires that the court have "C-4" jurisdiction over the military member in one of three ways. One way is for the member to consent to the jurisdiction of the court. The member indicates his or her consent to the court's jurisdiction by taking some affirmative action with regard to the legal proceeding, such as filing any responsive pleading in the case. Simply receiving notice of filing of the divorce complaint or petition is not sufficient. Consent is the most common way for a court to have "C-4" jurisdiction over a member.

The other ways for the court to have C-4 jurisdiction is for the member to be a resident of the State other than because of his or her military assignment, or for the court to find that the member was domiciled in the particular State. Now, the key with regard to domicile is that it should be the court making this determination, and it should be noted in the divorce decree.

IV. LANGUAGE DIVIDING MILITARY RETIRED PAY.

a. Fixed dollar amount or percentage awards.

The major reason for rejecting applications for payments under the USFSPA is that the language dividing retired pay is faulty. The USFSPA states that for an award to be

¹⁴ 10 U.S.C. § 1408(d)(2).

enforceable, it must be expressed either as a fixed dollar amount or as a percentage of disposable retired pay.¹⁵ If a fixed dollar amount award is used, the former spouse would not be entitled to any of the member's retired pay cost of living adjustments (COLA's).¹⁶ Because of the significant effect of COLA's over time, it is infrequent that an award is stated as a fixed dollar amount. The more common method of expressing the former spouse's award is as a percentage of the member's disposable retired pay. This has the benefit to the former spouse of increasing the amount of the former spouse's award over time due to periodic retired pay COLA's.

All percentage awards are figured based on a member's disposable retired pay, which is a member's gross retired pay less authorized deductions.¹⁷ The authorized deductions vary based on the date of the parties' divorce. The principal deductions now include retired pay waived to receive VA disability compensation, disability retired pay, and Survivor Benefit Plan premiums where the former spouse is elected as the beneficiary. Since the United States Supreme Court has ruled that Congress authorized the division of only disposable retired pay, not gross retired pay,¹⁸ the regulation provides that all percentage awards are to be construed as a percentage of disposable retired pay.¹⁹

Set-offs against the former spouse's award are not permitted. If the former spouse's award is expressed in terms which require an amount to be deducted from the award, such as a percentage of disposable retired pay less some set-off amount (e.g., the Survivor Benefit Plan premium or the former spouse's child support obligation or some other debt), the entire award is unenforceable. This type of award language does not meet the statutory requirement of a fixed dollar amount or percentage. If the award language does meet the requirements of the statute and is acceptable, but has subsequent language in the court order that requires a set-off amount be deducted from the former spouse's share, only the set-off is unenforceable. These determinations are because there is no provision of the USFSPA that authorizes set-offs. State courts have authority to divide military retired pay only as set forth by the USFSPA.²⁰ Thus, state court provisions not in accordance with the USFSPA are unenforceable.

There is no magic language required to express a percentage or fixed dollar award. All the divorce decree needs to say is that: **"(Plaintiff/Defendant) is awarded ____ percent [or dollar amount] of the (Defendant/Plaintiff)'s military retired pay."**

b. Formula and hypothetical awards for divorces while the member is on active duty.

¹⁵ 10 U.S.C. §1408(a)(2)(C).

¹⁶ 32 CFR § 63.6(h)(2) provides for automatic COLA's only for awards expressed as a percentage of disposable retired pay.

¹⁷ 10 U.S.C. § 1408(a)(4)(amended 1986, 1990).

¹⁸ *Mansell v. Mansell*, 490 U.S. 581.

¹⁹ 32 CFR § 63.6(c)(8).

²⁰ *Mansell*, 490 U.S. at 581, illustrates the general principal that state courts may deal with military retired pay only in accordance with the provisions of the USFSPA.

Most of the problems with award language have arisen in cases where the parties were divorced while the member was still on active duty. In these cases, the former spouse's award is indeterminate since the member has not yet retired. Since the parties do not know how much longer the member will remain in military service after the divorce, a straight percentage award may not be suitable. Also, many States take the approach that the former spouse should not benefit from any of the member's post-divorce promotions or pay increases based on length of service after the divorce.

A proposed regulation was issued in 1995 that allowed the use of formula and hypothetical awards to divide military retired pay when the parties were divorced prior to the member's becoming eligible to receive retired pay.²¹ This proposed regulation still governs our processing of these types of awards. These awards are often drafted in such a way that we cannot determine the amount of the award. This causes the parties to have to go back to court and obtain a clarifying order. We have draft language to make the process easier that is pending review by DoD.

1. Formula awards.

A formula award is an award expressed in terms of a marital fraction, where the numerator covers the period of the parties' marriage while the member was performing creditable military service, and the denominator covers the member's total period of creditable military service. The former spouse's award is usually calculated by multiplying the marital fraction by $\frac{1}{2}$.

(A) For members retiring from active duty, the numerator is the total period of time from marriage to divorce or separation while the member was performing creditable military service. The numerator, expressed in terms of whole months, must be provided in the court order. Days or partial months will be dropped. DFAS will supply the denominator in terms of whole months of service creditable for retirement, and then work out the formula to calculate the former spouse's award as a percentage of disposable retired pay. All fractions will be carried out to six decimal places.

For example, assume you have a marriage that lasted exactly 12 years or 144 months. The member serves for 25 years and then retires. Using the above formula, the former spouse would be entitled to $\frac{1}{2} \times (144/300) = 24.0000\%$ of the member's disposable retired pay.

The following language is an example of an acceptable way to express an active duty formula award:

"The former spouse is awarded a percentage of the member's disposable military retired pay, to be computed by multiplying _____% times a fraction, the numerator of which is _____ months of marriage during the member's

²¹ Former Spouse Payments From Retired Pay, 60 Fed. Reg. 17507 (1995) (to be codified at 32 C.F.R. pt. 63)(proposed Apr 5, 1995).

creditable military service, divided by the member's total number of months of creditable military service."

(B) In the case of members retiring from reserve duty, a marital fraction award must be expressed in terms of reserve retirement points rather than in terms of whole months. The numerator, which for reservists is the total number of reserve retirement points earned from marriage to divorce or separation, must be provided in the court order.²² DFAS will supply the member's total reserve retirement points for the denominator. All fractions will be carried out to six decimal places.

The following language is an example of an acceptable way to express a reserve duty formula award.

"The former spouse is awarded a percentage of the member's disposable military retired pay, to be computed by multiplying _____% times a fraction, the numerator of which is _____ reserve retirement points earned during the period of the marriage, divided by the member's total number of reserve retirement points earned."

2. Hypothetical awards.

A hypothetical award is an award based on a hypothetical retired pay amount computed using one or more variables different from those used to compute the member's actual retired pay amount. It is usually figured using a member's rank and years of creditable service as of the date of divorce or separation. Many jurisdictions use hypothetical awards. They arrive at a specific dollar amount which in turn does not give the former spouse the benefit of any increases in pay the member receives after the divorce due to promotions or increased service time.

The basic method for computing military retired pay is to multiply the active duty basic pay for the member's rank at retirement times two and one-half percent times the years of creditable military service.²³ The years of creditable service for a reservist are computed by dividing the reserve retirement points on which the award is to be based by 360.²⁴ A hypothetical retired pay amount is computed the same way, but based on the hypothetical rank, hypothetical years of creditable service, and hypothetical retirement date, if provided.

Anyone can obtain the basic pay figures from military pay tables available at the DFAS website at www.dfas.mil, under Money Matters. According to the proposed rule, a hypothetical award must be based on at least 15 years of military service.²⁵ Also, if the

²² Id.

²³ Department of Defense Financial Management Regulation (DoDFMR), Volume 7B, Paragraph 30102.

²⁴ Id. at Subparagraph 010301 F.

²⁵ Former Spouse Payments From Retired Pay, 60 Fed. Reg. 17507, 17508 (1995) (to be codified at 32 C.F.R. pt. 63)(proposed Apr 5, 1995).

former spouse is explicitly awarded COLA's in the court order, the hypothetical award has to be converted to a proportional percentage of the member's actual disposable retired pay. If the former spouse is not awarded COLA's, then the former spouse's award is figured as a fixed dollar amount.²⁶

The principal problem we find with hypothetical awards is that one or more of the necessary variables for the hypothetical retired pay computation is often left out of the court order. This leaves us in the position of having to make assumptions about the parties' intentions, which we are reluctant to do. At the very minimum, the court order must give us a hypothetical rank and the hypothetical years of service. If we are not able to compute a hypothetical retired pay figure from the information provided, the parties will have to have the award clarified by the court.

If the order is silent as to a hypothetical retirement date, we will compute the hypothetical retired pay amount as of the member's actual retirement date (i.e., using the pay table applicable to the member's actual retirement date, but for the hypothetical rank and years of service). If the order specifies a hypothetical retirement date, we will compute the hypothetical retired pay using the pay table applicable as of that date.

In cases where the member retires from active duty military service, we will use the number of hypothetical years of service in the court order as both years of service for basic pay purposes and years of creditable service for retirement computation purposes. For hypothetical awards dividing the retired pay of members retiring from reserve duty, years of service for basic pay purposes must be stated in the court order.

We assume that the member would have been eligible to receive military retired pay as of the hypothetical retirement date, as long as the hypothetical retired pay amount is based on at least 15 years of service. In the case of reserve members (who must attain age 60 before receiving military retired pay²⁷), we will assume that the reserve member had attained age 60 as of the hypothetical retirement date.

We will convert all hypothetical awards where the former spouse is awarded COLA's into a percentage of the member's actual disposable retired pay according to the following method set forth in the proposed regulation.²⁸ Assume that the court order awards the former spouse 25% of the retired pay of an E-6 with 20 years of service retiring on the member's actual retirement date. The member later retires on June 1, 1999, as an E-7 with 25 years of service. At the time the member retires, the monthly retired pay of an E-6 with 20 years of service is \$1,086. The monthly retired pay of an E-7 with 25 years of service is \$1,736. The former spouse's award is converted to a percentage of the member's actual disposable retired pay by multiplying 25% times \$1,086/\$1,736, which equals 15.6394%. This new proportional percentage is the former spouse's award, and will be set up in the retired pay system. While the percentage

²⁶ Id.

²⁷ DoDFMR, Volume 7B, Subparagraph 010108.B.

²⁸ Former Spouse Payments From Retired Pay, 60 Fed. Reg. 17507, 17508 (1995) (to be codified at 32 C.F.R. pt. 63)(proposed Apr 5, 1995).

number has been reduced, the amount the former spouse receives is the correct amount intended by the court, because the lower percentage is multiplied against the higher dollar amount of the member's actual disposable retired pay. The percentage will be applied each month to the member's disposable retired pay to determine the amount the former spouse receives.

The following language is an example of an acceptable way to express an active duty hypothetical award.

"The former spouse shall receive ____%* of the disposable military retired pay the member would have received had the member retired on ____ (Date) at the rank of ____ with ____ years of creditable service."

*Percentage may be computed using a marital fraction as discussed above.

The following proposed language is an example of an acceptable way to express a reserve duty hypothetical award.

"The former spouse shall receive ____%* of the disposable military retired pay the member would have received had the member become eligible to receive military retired pay on ____ (Date) at the rank of ____ with ____ reserve retirement points and ____ years of service for basic pay purposes."**

*Percentage may be computed using a marital fraction.

**Assumes member has attained age 60 and is eligible to receive military retired pay. Date member actually attains age 60 may be used here.

3. Awards expressed using both a formula and hypothetical award.

The following proposed language is an example of an acceptable way to express an award using both an active duty marital fraction and an active duty hypothetical award together.

"The former spouse is awarded a percentage of the member's disposable military retired pay, to be computed by multiplying ____% times a fraction, the numerator of which is ____ months of marriage during the member's creditable military service, divided by the member's total number of months of creditable military service at retirement. For the purpose of this computation, the member's military retired pay is defined as the military retired pay the member would have received had the member retired on ____ (Date) at the rank of ____ with ____ years of creditable service."

The following proposed language is an example of an acceptable way to express an award using both a reserve duty marital fraction and a reserve duty hypothetical award together.

“The former spouse is awarded a percentage of the member’s disposable military retired pay, to be computed by multiplying _____% times a fraction, the numerator of which is _____ reserve retirement points earned during the period of the marriage, divided by the member’s total number of reserve retirement points earned. For the purpose of this computation, the member’s military retired pay is defined as the military retired pay the member would have received had the member become eligible to receive military retired pay on _____(Date)* at the rank of _____ with _____ reserve retirement points and _____ years of service for basic pay purposes.”

*Assumes member has attained age 60 and is eligible to receive military retired pay.

c. Examples of unacceptable former spouse award language.

1. “The former spouse is awarded one-half of the community interest in the member’s military retired pay.”

Here, there is no way for us to determine the community interest unless a formula for calculating it is provided elsewhere in the court order.

2. “The former spouse is awarded one-half of the member’s military retirement that vested during the time of the marriage.”

The problem here is that there is no way for us to determine an amount or percentage. Military retired pay is a Federal entitlement, which the member either qualifies for or does not. It does not vest in any way prior to the member’s retirement.

3. “The former spouse is awarded one-half of the accrued value of the member’s military retirement benefits as of the date of the divorce.”

The problem here is similar to that above. Since military retired pay is a statutory entitlement, there is no value that accrues prior to the member’s retiring.

4. “The former spouse shall be entitled to 42% of the member’s military retirement based on the amount he would have received had he retired as of the date of the divorce.”

Since we do not have access to the member’s active duty service information, there is no way for us to determine the member’s rank or years of active duty service as of the date of divorce. Thus, there is no way for us to compute a hypothetical retired pay amount.

5. “The former spouse is awarded a portion of the member’s military retired pay calculated according to the Bangs formula.”

Here, the court order presupposes that we are familiar with that State's laws and know what the Bangs formula is, or that we are able to do legal research to resolve an ambiguity in a court order.

6. "The former spouse is awarded an amount equal to 50% of the member's disposable retired pay less the amount of the Survivor Benefit Plan Premium."

The amount of the former spouse's award must be expressed either as a fixed dollar amount or as a percentage of disposable retired pay. This award does not meet that requirement.

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Uniformed Services Former Spouses' Protection Act Bulletin

Published by the Defense Finance and Accounting Service

The Uniformed Services Former Spouses' Protection Act (the Act), 10 U.S.C. 1408, recognizes the right of state courts to distribute military retired pay to a spouse or former spouse (hereafter, the former spouse) and provides a method of enforcing these orders through the Department of Defense. The Act itself does not provide for an automatic entitlement to a portion of the member's retired pay to a former spouse. A former spouse must have been awarded a portion of a member's military retired pay as property in their final decree of divorce, dissolution, annulment, or legal separation (the court order). The Act also provides a method of enforcing current child support and/or arrears and current alimony awarded in the court order.

Court orders enforceable under the Act include final decrees of divorce, dissolution, annulment, and legal separation, and court-ordered property settlements incident to such decrees. The pertinent court order must provide for the payment of child support, alimony, or retired pay as property, to a spouse/former spouse. Retired pay as property awards must provide for the payment of an amount expressed in dollars or as a percentage of disposable retired pay (gross retired pay less allowable deductions). An award of a percentage of a member's retired pay is automatically construed under the Act as a percentage of disposable retired pay. A Qualified Domestic Relations Order is not required to divide retired pay as long as the former spouse's award is set forth in the pertinent court order.

In all cases where the member is on active duty at the time of the divorce, the member's rights under the Soldiers' and Sailors' Civil Relief Act of 1940 (SSCRA) must have been observed during the state court proceeding. In addition, for orders dividing retired pay as property to be enforced under the Act, a member and former spouse must have been married to each other for at least 10 years during which the member performed at least 10 years of creditable military service (the 10/10 rule). Also, to enforce orders dividing retired pay as property, the state court must have had jurisdiction over the member by reason of, (1) the member's residence in the territorial jurisdiction of the court (other than because of his military assignment), (2) the member's domicile in the territorial jurisdiction of the court, or (3) the member's consent to the jurisdiction of the court, as indicated by the member's taking some affirmative action in the legal proceeding. The 10/10 rule and the jurisdictional requirement do not apply to enforcement of child support or alimony awards under the Act.

The maximum that can be paid to a former spouse under the Act is fifty percent (50%) of a member's disposable retired pay. In cases where there are payments both under the Act and pursuant to a garnishment for child support or alimony under 42 U.S.C. 659, the total amount payable cannot exceed sixty-five percent (65%) of the member's disposable retired pay. The right to payments under the Act terminates upon the death of the member or former spouse, unless the applicable court order provides that the payments terminate earlier.

In order to apply for payments under the Act, a completed application form (DD Form 2293) signed by a former spouse together with a certified copy of the applicable court order certified by the clerk of court within 90 days immediately preceding its service on this Center should be served either personally or by facsimile or by mail, upon the:

Defense Finance and Accounting Service
Cleveland DFAS-GAG/CL
PO Box 998002
Cleveland, Ohio 44199-8002
(216) 522-5301 (Customer Service)

The application form should state which awards the former spouse is seeking to enforce under the Act (i.e., alimony, child support, and/or division of retired pay as property). If the application does not contain this information, then only awards of retired pay, as property will be enforced under the Act. A former spouse should also indicate the priority of the awards to be enforced in case there is not sufficient disposable retired pay to cover multiple awards.

The court order should contain sufficient information for us to determine whether the SSCRA, and the Act's jurisdictional and 10/10 requirements (if applicable), have been met. If we cannot determine the parties' marriage date from the court order, then the former spouse must submit a photocopy of their marriage certificate. If the former spouse is requesting child support, and the court order does not contain the birth dates of the children, the former spouse must provide photocopies of their birth certificates.

If the requirements of the Act have been met, payments to a former spouse must begin no later than 90 days after the date of effective service of a complete application. If the member has not yet retired at the time the former spouse submits his or her application, payments must begin no later than 90 days after the date on which the member first becomes entitled to receive retired pay.

Court orders awarding a portion of military retired pay as property that were issued prior to June 26, 1981, can be honored if the requirements of the Act are met. However, amendments issued after June 25, 1981, to court orders issued prior to June 26, 1981, which were silent as to providing for a division of retired pay as property, cannot be enforced under the Act. Also, for court orders issued prior to November 14, 1986, if any portion of a member's military retired pay is based on disability retired pay, the orders are unenforceable under the Act.

Section 1408(h) of the Act provides benefits to former spouses who are victims of abuse by members who, as a result of the abuse of a spouse or dependent child, lose the right to retired pay after becoming retirement eligible. A former spouse may only enforce an order dividing retired pay as property under this Section, and all of the other requirements of the Act must be satisfied. The right to payments under this Section terminates upon the remarriage of the former spouse, or upon the death of either party.

Garnishment Operations Facsimile (FAX) Information:

Fax Phone Number: Commercial (216) 522-6960 or DSN 580-6960.

In improving the processes in the Garnishment Operations we are now using a fax gateway directly into our Electronic Document Management System. To ensure your document is processed in a timely and efficient manner you must include the following information on the fax document and follow the additional guidance provided:

- Member/Employee Social Security Number (SSN) - Court Orders/Documents will not be processed if the SSN is not on the document
- Return Phone Number
- Return Fax Number
- Ensure original documents are clear and legible
- In each fax transmission, include only correspondence for one member or employee (if you have multiple documents for one member, they can be sent on one fax transmission)

Survivor Benefit Plan (SBP) Coverage:

A member may elect "former spouse" SBP coverage for a former spouse who was originally a "spouse" beneficiary under SBP, provided that the parties were divorced after the member became eligible to receive retired pay. In addition, a former spouse may initiate SBP coverage on her own behalf ("deemed election"), provided that this election is made within 1 year of the

issuance of the court order requiring SBP coverage. All correspondence regarding SBP coverage should be sent directly to the Retired Pay office:

Defense Finance and Accounting Service
US Military Retirement Pay
Post Office Box 7130
London, KY 40742-7130
Toll free 1-800-321-1080

Frequently Asked Questions

A list of frequently asked questions about USFSPA may be found at
<http://www.dfas.mil/money/garnish/fs-ga.htm>

APPENDIX A

Uniformed Services Former Spouses' Protection Act¹	Length of Time that Marriage Overlaps with Service Creditable for Retirement Purposes³			
	Number of Years			
	0 to <10	10 to <15	15 to <20	20 or more
Benefits for Former Spouses²				
Division of Retired Pay ⁴	X	X	X	X
Designation as an SBP Beneficiary ⁵	X	X	X	X
Direct Payment ⁶				
Child Support	X	X	X	X
Alimony	X	X	X	X
Property Division ⁷		X	X	X
Health Care ⁸			X	
Transitional ⁹				X
Full ¹⁰				X
Insurance ¹¹	X	X	X	X
Commissary ¹²				X
PX ¹²				X
Dependent Abuse				
Retired Pay Property Share Equivalent ¹³		X	X	X
Transitional Compensation ¹⁴	X	X	X	X

FOOTNOTES

- ¹ Pub. L. 97-252, Title X, 96 Stat. 730 (1982), as amended. This chart reflects all changes to the Act through the amendments in the National Defense Authorization Act, Fiscal Year 1994, Pub. L. 103-160 (1993).
- ² For guidance on obtaining a military identification card to establish entitlement for health care, commissary, and PX benefits, see appropriate service regulations (e.g., AR 640-3). Former spouses of reserve component members may be entitled to these benefits; see the following notes for applicable benefits.
- ³ Except for Dependent Abuse Victims Transitional Compensation payments, this chart assumes that the member serves long enough to retire from an active duty component or reserve component of the Armed Forces (generally this will mean (s)he has twenty years of service creditable for retirement purposes, but can mean fifteen years in the case of the Voluntary Early Release and Retirement Program [statutory authority for this program expires in 1999]).
- ⁴ At least one court has awarded a portion of military retired pay to a spouse whom the retiree married after he retired, Konzen v. Konzen, 103 Wash.2d 470, 693 P.2d 97, cert denied, 473 U.S. 906 (1985).
- ⁵ Federal law does not create any minimum length of overlap for this benefit; the parties' agreement or state law will control a former spouse's entitlement to designation as an SBP beneficiary.
- ⁶ See 10 U.S.C. §§ 1408(d) & 1408(e) and 32 C.F.R. part 63 for further guidance on mandatory language in the divorce decree or court-approved separation agreement. The former spouse initiates the direct payment process by sending a written request to the appropriate finance center.
- ⁷ While eligibility for direct payment does not extend to former spouses whose overlap of marriage and service is less than ten years, this is not a prerequisite to award of a share of retired pay as property to the former spouse (see Note 4).
- ⁸ To qualify for any health care provided or paid for by the military, the former spouse must be unremarried and must not be covered by an employer-sponsored health care plan; see 10 U.S.C. §§ 1072(2)(F), 1072(2)(G) & 1072(2)(H). Department of the Army interpretation of this provision holds that termination of a subsequent marriage by divorce or death does not revive this benefit, but an annulment does. These remarriage and employer-insurance restrictions do not limit eligibility to enroll in the civilian health care insurance plan discussed in Note 11.

⁹ "Transitional health care" was created by Pub. L. 98-625, § 645(c) (not codified), as a stop-gap measure while a civilian health care plan was negotiated for former spouses and other who lose an entitlement to receive military health care (see Note 11). The program subsequently was modified and narrowed by the National Defense Authorization Act, Fiscal Year 1989, Pub. L. 100-456, Title VI, § 651, 102 Stat. 1990 (1988). Current program benefits are described at 10 U.S.C. § 1078a, titled "Continued Health Benefits Coverage." Qualifying former spouses are those who are unremarried, who have no employer-sponsored health insurance, and who meet the "20/20/15" requirement (i.e., married to the member for at least 20 years, and the member has at least 20 years of service that are creditable for retirement purposes, and the marriage overlaps at least 15 years of the creditable service). Transitional health care now includes full military health care for 1 year after the date of the divorce, and during this period the former spouse is eligible to enroll in the civilian group health care plan negotiated by DOD (see Note 11).

Note that for health care purposes, 10 U.S.C. § 1072(2)(G) treats a 20/20/15 former spouse as if he or she were a full 20/20/20 former spouse (20 years of marriage, 20 years of service, and 20 years of overlap) if the divorce decree is dated before April 1, 1995. A 20/20/15 former spouse of a reserve component retiree with a divorce decree prior to April 1, 1985, can receive full health care too, but only if the member survives to age 60 or if he or she elected to participate in the Reserve Component Survivor Benefit Program upon becoming retirement eligible.

¹⁰ "Full health care" includes health care at military treatment facilities and that provided through the TRICARE insurance program. A former spouse of a reserve component retiree is eligible for this benefit upon the retiree's 60th birthday (or on the day the retiree would have been 60 if (s)he dies before reaching age 60) if (s)he meets the normal qualification rules (i.e., an unremarried 20/20/20 former spouse who is not covered by an employer-sponsored health care plan); see 10 U.S.C. § 1076(b)(2).

¹¹ Implementation of the Department of Defense Continued Health Care Benefit Program (CHCBP) was directed by Congress in the National Defense Authorization Act for Fiscal Year 1993 (see 10 U.S.C. § 1078a). It is a premium based program of temporary continued health benefits coverage available to eligible beneficiaries. Medical benefits mirror those available under the standard TRICARE program, but CHCBP is not part of TRICARE. For further information on this program, contact a military medical treatment facility health benefits advisor, or contact the CHCBP Administrator, P.O. Box 1608, Rockville, MD 20849-1608 (1-800-809-6119). The CHCBP replaces the Uniformed Services Voluntary Insurance Program (USVIP).

¹² Pursuant to statute and service regulations, commissary and PX benefits are to be available to a former spouse "to the same extent and on the same basis as the surviving spouse of a retired member..." Pub. L. 97-252, Title X, § 1005, 96 Stat. 737 (1982); see Army Regulation 640-3. The date of the divorce is no longer relevant for commissary and PX purposes. See Pub. L. 98-525, Title IV, § 645, 98 Stat. 2549 (1984) (amending Uniformed Services Former Spouses' Protection Act § 1006(d)). The former spouse must be "unmarried," and, unlike the rules for health care, any termination of a subsequent marriage revives these benefits. Qualified former spouses of reserve component retirees receive commissary and PX benefits when the retiree reaches age 60 (or when (s)he would have reached age 60 if the retiree dies before that time, but in such cases the entitlement arises only if the retiree elected to participate in the Reserve Component Survivor Benefit Plan when (s)he became retirement eligible; see AR 640-3). Notwithstanding the provision of the Act and the regulation, however, the extent of commissary and exchange privileges in overseas locations may be restricted by host-nation customs law.

¹³ When a retirement-eligible member receives a punitive discharge via court-martial, or is discharged via administrative separation processing, the member's retirement benefits are lost. In certain cases where the court-martial or separation action was based on dependent abuse, eligible spouses may receive their court-ordered share of retired pay (divided as property) as if the member had actually retired. Authority for these payments was created in the National Defense Authorization Act, Fiscal Year 1993, § 653, Pub. L. 103-484. An overlap of marriage and service of at least ten years is a prerequisite to receipt of payments. The National Defense Authorization Act, Fiscal Year 1994, § 555, Pub. L. 103-160, clarifies that eligibility begins on the date the sentence is approved and does not have to wait until the member is actually discharged.

¹⁴ The National Defense Authorization Act, Fiscal Year 1994, § 554, Pub. L. 103-160, also creates authority for monthly transitional compensation to dependents of a non-retirement eligible member separated from the service by reason of dependent abuse.

Former Spouses' Protection Act

Gives the Court the option of awarding the former spouse SBP coverage as part of the divorce settlement on the date of retirement or within one year of divorce.

ID CARD REQUIREMENTS FOR FORMER SPOUSES:

- Member must have served at least 20 years of creditable service toward retirement, and
- Marriage must have lasted at least 20 years, and
- Overlap between marriage and creditable service must be at least 15 years or as much as 20 years of marriage during member's creditable service.

FOUR CATEGORIES OF FORMER SPOUSES:

	When Occurred	Years of Marriage	Concurrent Marriage and Creditable Service	Commissary, Theater, and Exchange	Full Medical Coverage Unless Employee Sponsored
20/20/20 (02)	No restrictions	20	20 years	Yes	Yes
20/20/15 (03)	Up to 31 Mar 85	20	15 years to 19-11-29	No	Yes
20/20/15 (03)	1 Apr 85 to 29 Sep 88	20	15 years to 19-11-29	No	Good for 2 years from date of divorce
20/20/15 (04)	30 Sep 88 to current	20	15 years to 19-11-29	No	Good for 1 year from date of divorce

The law provides the former spouse to convert to a private health insurance plan under a DoD contract within 60 days following the end of eligibility for military medical care. Contact Valerie Boyle at the Continued Health Care Benefit Program (CHCBP); P.O. Box 1608; Rockville, Maryland 20849-1608 or 1-800-809-6119.

PROPOSED BASIC PAY—EFFECTIVE JANUARY 1, 2005^{1/}

Cumulative Years of Service

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 24	Over 26
O-10 ^{2/}	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12,963.00	13,026.60	13,297.50	13,769.40
O-9	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11,337.90	11,501.10	11,737.20	12,149.10
O-8	8,022.30	8,285.10	8,459.40	8,508.30	8,725.50	9,089.40	9,173.70	9,519.00	9,618.00	9,915.30	10,345.50	10,742.40	11,007.60	11,007.60	11,007.60
O-7	6,666.00	6,975.60	7,119.00	7,233.00	7,439.10	7,642.50	7,878.30	8,113.50	8,349.00	8,589.40	8,824.60	9,069.80	9,315.00	9,560.20	9,805.40
O-6	4,940.70	5,427.90	5,784.00	5,784.00	5,805.90	6,054.90	6,087.90	6,087.90	6,433.80	7,045.50	7,404.60	7,763.40	8,122.20	8,481.00	8,839.80
O-5	4,118.70	4,639.80	4,961.10	5,021.40	5,221.50	5,341.80	5,605.50	5,799.00	6,048.60	6,431.10	6,813.20	7,195.30	7,577.40	7,959.50	8,341.60
O-4	3,553.80	4,113.90	4,388.40	4,449.60	4,704.30	4,977.60	5,317.50	5,582.70	5,766.60	5,872.20	5,933.70	5,933.70	5,933.70	5,933.70	5,933.70
O-3	3,124.50	3,542.10	3,823.20	4,168.20	4,367.70	4,586.70	4,728.60	4,962.00	5,083.20	5,083.20	5,083.20	5,083.20	5,083.20	5,083.20	5,083.20
O-2	2,699.40	3,074.70	3,541.20	3,660.90	3,736.20	3,736.20	3,736.20	3,736.20	3,736.20	3,736.20	3,736.20	3,736.20	3,736.20	3,736.20	3,736.20
O-1	2,343.60	2,439.00	2,948.10	2,948.10	2,948.10	2,948.10	2,948.10	2,948.10	2,948.10	2,948.10	2,948.10	2,948.10	2,948.10	2,948.10	2,948.10
O-3E ^{3/}	0.00	0.00	0.00	4,168.20	4,367.70	4,586.70	4,728.60	4,962.00	5,158.50	5,271.00	5,424.60	5,424.60	5,424.60	5,424.60	5,424.60
O-2E ^{3/}	0.00	0.00	0.00	3,660.90	3,736.20	3,855.30	4,055.70	4,211.10	4,326.60	4,326.60	4,326.60	4,326.60	4,326.60	4,326.60	4,326.60
O-1E ^{3/}	0.00	0.00	0.00	2,948.10	3,148.80	3,264.90	3,383.70	3,500.70	3,660.90	3,660.90	3,660.90	3,660.90	3,660.90	3,660.90	3,660.90
W-5	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,548.20	5,738.40	5,929.20	6,121.20
W-4	3,228.60	3,473.40	3,573.30	3,671.40	3,840.30	4,007.10	4,176.30	4,341.00	4,511.70	4,779.00	4,950.00	5,117.40	5,290.80	5,461.80	5,636.40
W-3	2,948.40	3,071.70	3,197.40	3,238.80	3,371.10	3,522.30	3,721.80	3,918.90	4,128.30	4,285.50	4,442.10	4,509.30	4,578.90	4,730.10	4,881.30
W-2	2,593.50	2,741.70	2,871.30	2,965.50	3,046.20	3,268.20	3,438.00	3,564.00	3,687.00	3,771.30	3,842.40	3,977.40	4,111.50	4,247.40	4,427.40
W-1	2,290.20	2,477.70	2,603.10	2,684.40	2,900.40	3,030.90	3,146.40	3,275.40	3,360.90	3,438.30	3,564.30	3,659.70	3,659.70	3,659.70	3,659.70
E-9 ^{4/}	0.00	0.00	0.00	0.00	0.00	0.00	3,901.20	3,989.70	4,101.00	4,232.40	4,364.10	4,575.90	4,755.00	4,943.70	5,231.70
E-8	0.00	0.00	0.00	0.00	0.00	3,193.50	3,334.80	3,422.10	3,527.10	3,640.50	3,845.40	3,949.20	4,125.90	4,224.00	4,465.20
E-7	2,220.00	2,423.10	2,515.80	2,638.80	2,734.50	2,899.50	2,992.20	3,084.60	3,249.60	3,332.40	3,410.70	3,458.70	3,620.40	3,725.10	3,990.00
E-6	1,920.30	2,112.60	2,205.90	2,296.50	2,391.00	2,604.30	2,687.10	2,779.20	2,859.90	2,888.70	2,908.20	2,908.20	2,908.20	2,908.20	2,908.20
E-5	1,759.50	1,877.10	1,967.70	2,060.70	2,205.30	2,329.80	2,421.60	2,450.70	2,450.70	2,450.70	2,450.70	2,450.70	2,450.70	2,450.70	2,450.70
E-4	1,612.80	1,695.60	1,787.10	1,877.70	1,957.80	NOTES: 1. While serving as JCS/Vis JCS, CNO, CMC, Army/Air Force CS, commander of a unified or specified combatant command, basic pay is \$15,146.40 (See note 2). 2. Basic pay for an O-7 to O-10 is limited by Level III of the Executive Schedule which is \$12,433.20. Basic pay for O-6 and below is limited by Level V of the Executive Schedule which is \$10,950.00. 3. Applicable to O-1 to O-3 with at least 4 years & 1 day of active duty or more than 1460 points as a warrant and/or enlisted member. See DODFMR for more detailed explanation on who is eligible for this special basic pay rate. 4. For the MCPD of the Navy, CMSgt of the AF, Sergeant Major of the Army or Marine Corps, basic pay is \$6,304.20. Combat Zone Tax Exclusion for O-1 and above is based on this basic pay rate plus HFP/IDP which is \$225.00.									
E-3	1,456.20	1,547.70	1,641.00	1,641.00	1,641.00										
E-2	1,384.50	1,384.50	1,384.50	1,384.50	1,384.50										
E-1	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10										
4 mos +	1,235.10	1,235.10	1,235.10	1,235.10	1,235.10										
E-1	1,142.70														

ALLOWANCES

Basic Allowance for Housing Type II, Differential and Partial

Pay Grade	Without Dependent	With Dependent	Differential	Partial	Pay Grade	Without Dependent	With Dependent	Differential	Partial
O-10	1096.80	1349.70	269.10	50.70	W-5	912.00	996.90	89.40	25.20
O-9	1096.80	1349.70	269.10	50.70	W-4	810.00	913.50	110.10	25.20
O-8	1096.80	1349.70	269.10	50.70	W-3	681.00	837.60	166.50	20.70
O-7	1096.80	1349.70	269.10	50.70	W-2	604.20	769.80	175.80	15.90
O-6	1006.20	1215.00	222.90	39.60	W-1	506.40	666.00	170.10	13.80
O-5	968.70	1171.20	215.40	33.00	E-9	665.10	876.90	225.00	18.60
O-4	897.60	1032.30	143.10	26.70	E-8	610.80	808.80	210.60	15.30
O-3	719.70	854.10	142.80	22.20	E-7	521.40	750.60	244.20	12.00
O-2	570.60	729.00	168.60	17.70	E-6	471.90	693.60	235.80	9.90
O-1	480.90	652.50	182.70	13.20	E-5	435.30	624.00	200.40	8.70
O-3E	777.00	918.00	150.30	22.20	E-4	378.60	542.10	173.70	8.10
O-2E	660.30	828.30	179.40	17.70	E-3	371.40	504.60	141.90	7.80
O-1E	568.20	765.60	210.30	13.20	E-2	301.80	480.90	190.20	7.20
					E-1	250.80	447.60	208.80	6.90

Family Separation Allowance

All Grades: \$250

Standard Initial Clothing Allowances (Enlisted Members Only)

	Army		Navy (E-1 to E-6)		Air Force		Marine Corps		Personal Money Allowance (Monthly Amount)
	Male	Female	Male	Female	Male	Female	Male	Female	
	1,227.44	1,484.44	1,161.46	1,416.19	1,252.09	1,453.58	1,191.50	1,505.23	Chiefs of Services

Cash Clothing Replacement Allowances (Enlisted Members Only)

Type	Army		Navy		Air Force		Marine Corps		Senior Member of the Military Staff Committee of the United Nation	Amount
	Male	Female	Male	Female	Male	Female	Male	Female		
Basic	327.60	385.20	291.60	295.20	298.80	331.20	266.40	298.80	Lieutenant General or Vice Admiral	183.33
Standard	468.00	550.80	414.00	421.20	428.40	471.60	378.00	424.80	Senior Enlisted Member of a Military Service	41.67
Special	0	0	597.60	626.40	0	0	0	0		166.67

Civilian Clothing Allowance

Type of Duty	Initial	Replacement	15 days in 30 day period	30 days in 36 months period
Permanent	845.43	281.81	0	0
Temporary	0	0	281.81	563.62

For other pays or specific requirements for the pay cited in this table, go to the web at:

<http://www.dtic.mil/comptroller/mr07a/index.html>

Basic Allowance for Subsistence

Officers: 183.99
Enlisted: 267.18

INCENTIVE AND SPECIAL PAYS

Aviation Career Incentive Pay

Years of Aviation Service

2 or less	Over 2	Over 3	Over 4	Over 6	Over 14	Over 22	Over 23	Over 24	Over 25
125.00	156.00	188.00	206.00	650.00	840.00	585.00	495.00	385.00	250.00

Hazardous Duty Incentive Pay (Crew Member- Non-AWAC)

Pay Grade	Amount	Pay Grade	Amount	Pay Grade	Amount	Pay Grade	Amount	Pay Grade	Amount
O-10	150.00	O-5	250.00	W-5	250.00	E-9	240.00	E-4	165.00
O-9	150.00	O-4	225.00	W-4	250.00	E-8	240.00	E-3	150.00
O-8	150.00	O-3	175.00	W-3	175.00	E-7	240.00	E-2	150.00
O-7	150.00	O-2	150.00	W-2	150.00	E-6	215.00	E-1	150.00
O-6	250.00	O-1	150.00	W-1	150.00	E-5	190.00		

Hazardous Duty Incentive Pay (Non-Crew Member)

Imminent Danger Pay/Hostile Fire Pay

ALL GRADES – 150.00

ALL GRADES – 225.00

Diving Pay

HDIP (Parachute, Flight Deck, Demolition, & Others)

Officers – 240.00 (Max)

Enlisted – 340.00 (Max)

All Grades – 150.00 (Member qualified for HALO pay 225.00)

COMBAT ZONE TAX EXCLUSION

Basic pay for the MCPO of the Navy, CMSgt of the AF, Sergeant Major of the Army or Marine Corps, basic pay is \$6,304.20. Combat Zone Tax Exclusion for O-1 and above is based on this basic pay rate plus HFP/IDP (\$225).

For other pays or specific requirements for the pays cited in this table, go to the web at:
<http://www.dtic.mil/comptroller/fmr/07a/index.html>

Submarine Duty Incentive Pay (Effective October 1, 2004)

Cumulative Years of Service

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 14	Over 16	Over 18	Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8
O-6	535.00									835.00	E-9	425.00					
O-5	595.00							790.00	835.00		E-8	415.00					
O-4	365.00			525.00	595.00	705.00		790.00			E-7	405.00					
O-3	365.00			510.00	595.00	705.00					E-6	155.00	170.00	175.00	300.00	325.00	375.00
O-2	305.00						425.00				E-5	140.00	155.00		250.00	275.00	
O-1	230.00						425.00				E-4	80.00	95.00	100.00	245.00		
W-5	285.00	375.00	425.00								E-3	80.00	90.00	95.00		90.00	
W-4	285.00	375.00	425.00								E-2	75.00	90.00				
W-3	305.00							425.00			E-1	75.00					
W-2	230.00							425.00									
W-1	285.00	375.00	425.00														

Submarine Duty Incentive Pay for O-7 through O-10 is \$355

MONTHLY CAREER SEA PAY—EFFECTIVE OCTOBER 1, 2002 (ALL OFFICERS)(note)

Cumulative Years of Sea Duty (note)

Pay Grade	1 or less	Over 1	Over 2	Over 3	Over 4	Over 5	Over 6	Over 7	Over 8	Over 9	Over 10	Over 11	Over 12	Over 13	Over 14	Over 16	Over 18	Over 20
O-6A				225.00	230.00		240.00	255.00	265.00	280.00	290.00	300.00	310.00		325.00	340.00	355.00	380.00
O-6N	100.00			315.00	320.00		335.00	360.00	370.00	395.00	405.00	420.00	435.00		455.00	475.00	500.00	535.00
O-6AF				225.00	230.00		240.00	255.00	265.00	280.00	290.00	300.00	310.00		325.00	340.00	355.00	380.00
O-5A				225.00				230.00	245.00	250.00	260.00	265.00			285.00	300.00	315.00	340.00
O-5N	100.00			315.00				320.00	345.00	350.00	365.00	370.00			400.00	420.00	440.00	475.00
O-5AF				225.00							260.00	265.00			285.00	300.00	315.00	340.00
O-4A				185.00	190.00	200.00	205.00	215.00	220.00		225.00		240.00		270.00	280.00	290.00	300.00
O-4N	100.00			260.00	265.00	280.00	285.00	300.00	310.00		315.00		335.00		380.00	395.00	405.00	420.00
O-4AF				185.00	190.00	200.00	205.00				225.00		240.00		270.00	280.00	290.00	300.00
O-3A				150.00	160.00	185.00	190.00	195.00	205.00	215.00	225.00		240.00		260.00	270.00	280.00	290.00
O-3N	100.00			210.00	225.00	260.00	265.00	275.00	285.00	300.00	315.00		335.00		365.00	380.00	395.00	405.00
O-3AF				150.00	160.00	185.00	190.00	195.00	205.00	215.00	225.00		240.00		260.00	270.00	280.00	290.00
O-2A				150.00	160.00	185.00	190.00	195.00	205.00	215.00	225.00		240.00		250.00	260.00	270.00	280.00
O-2N	100.00			210.00	225.00	260.00	265.00	275.00	285.00	300.00	315.00		335.00		350.00	365.00	380.00	395.00
O-2AF				150.00	160.00	185.00	190.00	195.00	205.00	215.00	225.00		240.00		250.00	260.00	270.00	280.00
O-1A				150.00	160.00	185.00	190.00	195.00	205.00	215.00	225.00		240.00		250.00	260.00	270.00	280.00
O-1N	100.00			210.00	225.00	260.00	265.00	275.00	285.00	300.00	315.00		335.00		350.00	365.00	380.00	395.00
O-1AF				150.00	160.00	185.00	190.00	195.00	205.00	215.00	225.00		240.00		250.00	260.00	270.00	280.00
W-5A	210.00			310.00	338.00	506.00	534.00				590.00	625.00	660.00		730.00			
W-5N	210.00				240.00	405.00	435.00				490.00	525.00	560.00		630.00		700.00	
W-4A	210.00			310.00	338.00	506.00	534.00				590.00	625.00	660.00		730.00			
W-4N	210.00				240.00	405.00	435.00				490.00	525.00	560.00		630.00		700.00	
W-3A	210.00			310.00	338.00	478.00	492.00	499.00	506.00	534.00	590.00	625.00	660.00		695.00			
W-3N	210.00				240.00	380.00	395.00	400.00	405.00	435.00	490.00	525.00	560.00		595.00		630.00	
W-2A	210.00			310.00	338.00	464.00	471.00		478.00	534.00	576.00		625.00					
W-2N	210.00				240.00	365.00	370.00		380.00	435.00	475.00		525.00		560.00			
W-1A	182.00	189.00	196.00	310.00	338.00	345.00	380.00	450.00	478.00	520.00	555.00							
W-1N	180.00	190.00	195.00	210.00	240.00	245.00	280.00	350.00	380.00	420.00	455.00		475.00		505.00	525.00		

NOTE: N after the pay grade denotes Navy and Marine Corps rates effective October 1, 2001.

A after the pay grade denotes Army rates effective October 1, 2002.

AF after the pay grade denotes Air Force rates effective May 1, 1988.

MONTHLY CAREER SEA PAY—EFFECTIVE OCTOBER 1, 2002 (ALL ENLISTED MEMBERS)(note)

Cumulative Years of Sea Duty

Pay Grade	1 or less	Over 1	Over 2	Over 3	Over 4	Over 5	Over 6	Over 7	Over 8	Over 9	Over 10	Over 11	Over 12	Over 13	Over 14	Over 16	Over 18	Over 20
E-9A	130.00		156.00	328.00	347.00	425.00		458.00	477.00	490.00		503.00	516.00	555.00	588.00	620.00	646.00	
E-9N	135.00		160.00	305.00	320.00	350.00		375.00	490.00	500.00		510.00	520.00	550.00	575.00	620.00		
E-9AF	100.00		120.00	175.00	190.00	350.00		375.00	390.00	400.00		410.00	420.00	450.00	475.00	520.00		
E-8A	130.00		156.00	328.00	347.00	425.00		458.00	477.00	490.00		503.00	516.00	555.00	588.00	620.00	646.00	
E-8N	135.00		160.00	305.00	320.00	350.00		375.00	490.00	500.00		510.00	520.00	550.00	575.00	600.00	620.00	
E-8AF	100.00		120.00	175.00	190.00	350.00		375.00	390.00	400.00		410.00	420.00	450.00	475.00	500.00	520.00	
E-7A	130.00		156.00	328.00	190.00	425.00		458.00	477.00	490.00		503.00	516.00	555.00	588.00	620.00		
E-7N	135.00		160.00	305.00	320.00	350.00		375.00	490.00	500.00		510.00	520.00	550.00	575.00	600.00		
E-7AF	100.00		120.00	175.00	190.00	350.00		375.00	390.00	400.00		410.00	420.00	450.00	475.00	500.00		
E-6A	130.00		156.00	295.00	321.00	380.00	393.00	425.00		445.00			464.00	484.00	503.00	523.00	555.00	
E-6N	135.00		160.00	280.00	300.00	315.00	325.00	350.00	450.00	465.00			480.00	495.00	510.00	525.00	550.00	
E-6AF	100.00		120.00	150.00	170.00	315.00	325.00	350.00		365.00			380.00	395.00	410.00	425.00	450.00	
E-5A	65.00	78.00	156.00	295.00	321.00	380.00	393.00	425.00										
E-5N	70.00	80.00	160.00	280.00	300.00	315.00	325.00	350.00	450.00									
E-5AF	50.00	60.00	120.00	150.00	170.00	315.00	325.00	350.00										
E-4A	65.00	78.00	156.00	295.00	308.00													
E-4N	70.00	80.00	160.00	280.00	290.00				390.00									
E-4AF	50.00	60.00	120.00	150.00	160.00													
E-3A	50.00	60.00	120.00	150.00	160.00	170.00	190.00											
E-3N	50.00	60.00	100.00															
E-2A	50.00	60.00	120.00	150.00	160.00	170.00												
E-2N	50.00	60.00	75.00															
E-1A	50.00	60.00	120.00	150.00	160.00													
E-1N	50.00																	

NOTE: N after the pay grade denotes Navy and Marine Corps rates effective October 1, 2001.
 A after the pay grade denotes Army rates effective October 1, 2002.
 AF after the pay grade denotes Air Force rates effective May 1, 1988.

PROPOSED DRILL PAY (Effective January 1, 2005)

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 24	Over 26
O-7	6,666.00	6,975.60	7,119.00	7,233.00	7,439.10	7,642.50	7,878.30	8,113.50	8,349.00	8,589.40	8,829.80	9,069.40	9,309.00	9,548.60	9,788.20
1 Drill	222.20	232.52	237.30	241.10	247.97	254.75	262.61	270.45	278.30	286.15	294.00	301.85	309.70	317.55	325.40
4 Drills	888.80	930.08	949.20	964.40	991.88	1019.00	1050.44	1081.88	1113.32	1144.76	1176.20	1207.64	1239.08	1270.52	1301.96
O-6	4,940.70	5,427.90	5,784.00	5,784.00	5,805.90	6,054.90	6,087.90	6,087.90	6,433.80	7,045.50	7,404.60	7,763.40	7,967.70	8,174.10	8,575.50
1 Drill	164.69	180.93	192.80	192.80	193.53	201.83	202.93	202.93	214.46	234.85	246.82	258.78	265.59	272.47	285.85
4 Drills	658.76	723.72	771.20	771.20	774.12	807.32	811.72	811.72	857.84	939.40	987.28	1035.12	1062.36	1089.88	1143.40
O-5	4,118.70	4,639.80	4,961.10	5,021.40	5,221.50	5,341.80	5,605.50	5,799.00	6,048.60	6,431.10	6,613.20	6,793.20	6,997.50	6,997.50	6,997.50
1 Drill	137.29	154.66	165.37	167.38	174.05	178.06	186.85	193.30	201.62	214.37	220.44	226.44	233.25	233.25	233.25
4 Drills	549.16	618.64	661.48	669.52	696.20	712.24	747.40	773.20	806.48	857.48	881.76	905.76	933.00	933.00	933.00
O-4	3,553.80	4,113.90	4,388.40	4,449.60	4,704.30	4,977.60	5,317.50	5,582.70	5,766.60	5,872.20	5,933.70	5,933.70	5,933.70	5,933.70	5,933.70
1 Drill	118.46	137.13	146.28	148.32	156.81	165.92	177.25	186.09	192.22	195.74	197.79	197.79	197.79	197.79	197.79
4 Drills	473.84	548.52	585.12	593.28	627.24	663.68	709.00	744.36	768.88	782.96	791.16	791.16	791.16	791.16	791.16
O-3	3,124.50	3,542.10	3,823.20	4,168.20	4,367.70	4,566.70	4,728.60	4,962.00	5,083.20	5,083.20	5,083.20	5,083.20	5,083.20	5,083.20	5,083.20
1 Drill	104.15	118.07	127.44	138.94	145.59	152.89	157.62	165.40	169.44	169.44	169.44	169.44	169.44	169.44	169.44
4 Drills	416.60	472.28	509.76	555.76	582.36	611.56	630.48	661.60	677.76	677.76	677.76	677.76	677.76	677.76	677.76
O-2	2,699.40	3,074.70	3,541.20	3,660.90	3,736.20	3,736.20	3,736.20	3,736.20	3,736.20	3,736.20	3,736.20	3,736.20	3,736.20	3,736.20	3,736.20
1 Drill	89.98	102.49	118.04	122.03	124.54	124.54	124.54	124.54	124.54	124.54	124.54	124.54	124.54	124.54	124.54
4 Drills	359.92	409.96	472.16	488.12	498.16	498.16	498.16	498.16	498.16	498.16	498.16	498.16	498.16	498.16	498.16
O-1	2,343.60	2,439.00	2,948.10	2,948.10	2,948.10	2,948.10	2,948.10	2,948.10	2,948.10	2,948.10	2,948.10	2,948.10	2,948.10	2,948.10	2,948.10
1 Drill	78.12	81.30	98.27	98.27	98.27	98.27	98.27	98.27	98.27	98.27	98.27	98.27	98.27	98.27	98.27
4 Drills	312.48	325.20	393.08	393.08	393.08	393.08	393.08	393.08	393.08	393.08	393.08	393.08	393.08	393.08	393.08
O-3E				4,168.20	4,367.70	4,586.70	4,728.60	4,962.00	5,158.50	5,271.00	5,424.60				
1 Drill				138.94	145.59	152.89	157.62	165.40	171.95	175.70	180.82				
4 Drills				555.76	582.36	611.56	630.48	661.60	687.80	702.80	723.28				
O-2E				3,660.90	3,736.20	3,855.30	4,055.70	4,211.10	4,326.60	4,326.60	4,326.60				
1 Drill				122.03	124.54	128.51	135.19	140.37	144.22	144.22	144.22				
4 Drills				488.12	498.16	514.04	540.76	561.48	576.88	576.88	576.88				
O-1E				2,948.10	3,148.80	3,264.90	3,383.70	3,500.70	3,660.90	3,660.90	3,660.90				
1 Drill				98.27	104.96	108.83	112.79	116.69	122.03	122.03	122.03				
4 Drills				393.08	419.84	435.32	451.16	466.76	488.12	488.12	488.12				

PROPOSED DRILL PAY (EFFECTIVE JANUARY 1, 2004)

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 24	Over 26
W-5												5,548.20	5,738.40	5,929.20	6,121.20
1 Drill												184.94	191.28	197.64	204.04
4 Drills												739.76	765.12	790.56	816.16
W-4															
1 Drill	3,228.60	3,473.40	3,573.30	3,671.40	3,840.30	4,007.10	4,176.30	4,341.00	4,511.70	4,779.00	4,950.00	5,117.40	5,290.80	5,461.80	5,636.40
4 Drills	107.62	115.78	119.11	122.38	128.01	133.57	139.21	144.70	150.39	159.30	165.00	170.58	176.36	182.06	187.88
W-3															
1 Drill	430.48	463.12	476.44	489.52	512.04	534.28	556.84	578.80	601.56	637.20	660.00	682.32	705.44	728.24	751.52
4 Drills	2,948.40	3,071.70	3,197.40	3,238.80	3,371.10	3,522.30	3,721.80	3,918.90	4,128.30	4,285.50	4,442.10	4,509.30	4,578.90	4,730.10	4,881.30
W-2															
1 Drill	98.28	102.39	106.58	107.96	112.37	117.41	124.06	130.63	137.61	142.85	148.07	150.31	152.63	157.67	162.71
4 Drills	2,593.50	2,741.70	2,871.30	2,965.50	3,046.20	3,268.20	3,438.00	3,564.00	3,687.00	3,771.30	3,842.40	3,977.40	4,111.50	4,247.40	
W-1															
1 Drill	86.45	91.39	95.71	98.85	101.54	108.94	114.60	118.80	122.90	125.71	128.08	132.58	137.05	141.58	
4 Drills	345.80	365.56	382.84	395.40	406.16	435.76	458.40	475.20	491.60	502.84	512.32	530.32	548.20	566.32	
E-9															
1 Drill	2,290.20	2,477.70	2,603.10	2,684.40	2,900.40	3,030.90	3,146.40	3,275.40	3,360.90	3,438.30	3,564.30	3,659.70			
4 Drills	76.34	82.59	86.77	89.48	96.68	101.03	104.88	109.18	112.03	114.61	118.81	121.99			
E-8															
1 Drill	305.36	330.36	347.08	357.92	386.72	404.12	419.52	436.72	448.12	458.44	475.24	487.96			
4 Drills															
E-7															
1 Drill	2,220.00	2,423.10	2,515.80	2,638.80	2,734.50	2,899.50	2,992.20	3,084.60	3,249.60	3,332.40	3,410.70	3,458.70	3,620.40	3,725.10	3,990.00
4 Drills	74.00	80.77	83.86	87.96	91.15	96.65	99.74	102.82	108.32	111.08	113.69	115.29	120.68	124.17	133.00
E-6															
1 Drill	296.00	323.08	335.44	351.84	364.60	386.60	398.96	411.28	433.28	444.32	454.76	461.16	482.72	496.68	532.00
4 Drills	1,920.30	2,112.60	2,205.90	2,296.50	2,391.00	2,604.30	2,687.10	2,779.20	2,859.90	2,888.70	2,908.20	2,908.20	2,908.20	2,908.20	2,908.20
E-5															
1 Drill	64.01	70.42	73.53	76.55	79.70	86.81	89.57	92.64	95.33	96.29	96.94	96.94	96.94	96.94	96.94
4 Drills	256.04	281.68	294.12	306.20	318.80	347.24	358.28	370.56	381.32	385.16	387.76	387.76	387.76	387.76	387.76
E-4															
1 Drill	1,759.50	1,877.10	1,967.70	2,060.70	2,205.30	2,329.80	2,421.60	2,450.70	2,450.70	2,450.70	2,450.70	2,450.70	2,450.70	2,450.70	2,450.70
4 Drills	58.65	62.57	65.59	68.69	73.51	77.66	80.72	81.69	81.69	81.69	81.69	81.69	81.69	81.69	81.69
E-3															
1 Drill	234.60	250.28	262.36	274.76	294.04	310.64	322.88	326.76	326.76	326.76	326.76	326.76	326.76	326.76	326.76
4 Drills	1,612.80	1,695.60	1,787.10	1,877.70	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80	1,957.80
E-2															
1 Drill	53.76	56.52	59.57	62.59	65.26	65.26	65.26	65.26	65.26	65.26	65.26	65.26	65.26	65.26	65.26
4 Drills	215.04	226.08	238.28	250.36	261.04	261.04	261.04	261.04	261.04	261.04	261.04	261.04	261.04	261.04	261.04
E-1															
1 Drill	1,456.20	1,547.70	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00	1,641.00
4 Drills	48.54	51.59	54.70	54.70	54.70	54.70	54.70	54.70	54.70	54.70	54.70	54.70	54.70	54.70	54.70
E-2															
1 Drill	194.16	206.36	218.80	218.80	218.80	218.80	218.80	218.80	218.80	218.80	218.80	218.80	218.80	218.80	218.80
E-2	1,384.50	E-1 (Amos ACDU+)													
1 Drill	46.15	1 Drill													
4 Drills	184.60	4 Drills													

SPECIAL PAYS FOR HEALTH PROFESSIONAL OFFICERS (note)

Variable Special Pay (Medical Officers)

Pay Grade	Under 3	3 But Less Than 6	6 But Less Than 8	8 But Less Than 10	10 But Less Than 12	12 But Less Than 14	14 But Less Than 18	18 But Less Than 22	22 and Over
Intern	100.00								
Thru O-6 (not an intern)		416.67	1,000.00	958.33	916.67	833.33	750.00	666.67	583.33
Above O-6	583.33	<i>For other pays or specific requirements for the pay cited in this table, go to the web at: http://www.dtic.mil/comptrollerfmr07a/index.html</i>							

Variable Special Pay (VSP) (Dental Officers)

Pay Grade	Under 3	3 But Less Than 6	6 But Less Than 8	8 But Less Than 12	12 But Less Than 14	14 But Less Than 18	18 & Over
Intern	250.00						
Thru O-6 (not an intern)		583.33	583.33	1,000.00	833.33	750.00	666.67
Above O-6	583.33						

Board Certified Pay Special Pay (Medical and Dental Officers)

Pay Grade	Under 10	10 But Less Than 12	12 But Less Than 14	14 But Less Than 18	18 & Over	Pay Grade	Under 3	3 But Less Than 10	10 & Over
All Grades	208.33	291.67	333.33	416.67	500.00	All Grades	4,000.00	6,000.00	15,000.00

Incentive Special Pay (Medical Officers)

Specialty	Annual Amt	Specialty	Annual Amt	Specialty	Annual Amt	Specialty	Annual Amt
Anesthesiology	\$36,000.00	Internal medicine	14,000.00	Otolaryngology	30,000.00	Subspecialty Category I	36,000.00
Dermatology	18,000.00	Neurology	14,000.00	Pathology	16,000.00	Subspecialty Category II	28,000.00
Emergency medicine	26,000.00	Neurosurgery	36,000.00	Pediatrics	12,000.00	Subspecialty Category III	23,000.00
Family practice	13,000.00	OB/GYN	31,000.00	Prev/Occ/Phys Med & Aero Med	13,000.00	Subspecialty Category IV	14,000.00
Gastroenterology	26,000.00	Ophthalmology	28,000.00	Psychiatry	15,000.00	Urology	28,000.00
General surgery	29,000.00	Orthopedics	36,000.00	Radiology	36,000.00		

Multiyear Special Pay (Medical Officers)

	Level 1	Level 2	Level 3	Level 3
4 Year Agreement	14,000.00	10,000.00	8,000.00	0
3 Year Agreement	13,000.00	9,000.00	7,000.00	0
2 Year Agreement	12,000.00	8,000.00	6,000.00	0

APPLICATION FOR FORMER SPOUSE PAYMENTS FROM RETIRED PAY*(Please read instructions on back and the Privacy Act Statement before completing this form.)**Form Approved
OMB No. 0730-0008
Expires Dec 31, 2007*

The public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Department of Defense, Executive Services and Communications Directorate (0704-0008). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ORGANIZATION. RETURN COMPLETED FORM TO THE APPROPRIATE SERVICE ADDRESS LISTED ON BACK.

FOR OFFICIAL USE**PRIVACY ACT STATEMENT**

AUTHORITY: Title 10 USC 1408; EO 9397.

PRINCIPAL PURPOSE(S): To request direct payment through a Uniformed Service designated agent of court ordered child support, alimony, or division of property to a former spouse from the retired pay of a Uniformed Service member.

ROUTINE USE(S): In addition to those disclosures generally permitted under 5 U.S.C. Section 552a(b) of the Privacy Act, these records or information contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. Section 552a(b)(3) as follows:

Records are provided to the Internal Revenue Service for normal wage and tax withholding purposes. The "Blanket Routine Uses" published at the beginning of the DFAS compilation of systems of records notices also apply.

DISCLOSURE: Voluntary; however, failure to provide requested information may delay or make impossible processing this direct payment request.

1. APPLICANT IDENTIFICATION	2. SERVICE MEMBER IDENTIFICATION
a. NAME (As appears on court order) (Last, First, Middle Initial)	a. NAME (Last, First, Middle Initial)
b. CURRENT NAME (Last, First, Middle Initial)	b. SOCIAL SECURITY NUMBER
c. SOCIAL SECURITY NUMBER	c. BRANCH OF SERVICE
d. ADDRESS (Street, City, State, ZIP Code)	d. ADDRESS (Street, City, State, ZIP Code) (If known)

3. REQUEST STATEMENT

I request direct payment from the retired pay of the above named Uniformed Service member based on the enclosed court order.

I request payment of:

(1) Child support in the amount of \$ _____ per month.

(2) Alimony, spousal support or maintenance in the amount of \$ _____, or _____ percent of disposable retired pay per month.

(3) A division of property in the amount of \$ _____, or _____ percent of disposable retired pay per month.

I certify that any request for current child and/or spousal support is not being collected under any other wage withholding or garnishment procedure authorized by statute. Furthermore, I certify that the court order has not been amended, superseded or set aside and is not subject to appeal. As a condition precedent to payment, I agree to refund all overpayments and that they are otherwise recoverable and subject to involuntary collection from me or my estate, and I will notify the appropriate agent (as listed on back) if the operative court order, upon which payment is based, is vacated, modified, or set aside. I also agree to notify the appropriate agent (as listed on back) of a change in eligibility for payments. This includes notice of my remarriage, if under the terms of the court order or the laws of the jurisdiction where it was issued, remarriage causes the payments to be reduced or terminated; or notice of a change in eligibility for child support payments by reason of the death, emancipation, adoption, or attainment of majority of a child whose support is provided through direct payments from retired pay. I hereby acknowledge that any payment to me must be paid from disposable retired pay as defined by the statute and implementing regulations.

4. I HAVE ENCLOSED ALL PERTINENT DOCUMENTATION TO INCLUDE: (X as applicable)									
a.	A copy of the operative court order and other accompanying documents that provide for payment of child support, alimony or a division of retired pay as property, containing a certification dated by the clerk of the court within 90 days preceding the date the application is received by the designated agent.								
b.	Evidence of the date(s) of my marriage to the member if the application is for the direct payment of a division of the member's disposable retired pay as property. Give MARRIAGE DATE (YYYYMMDD) in this block unless stated in court order.								
c.	If payment request includes child support, give name(s) and birth date(s) of child(ren):								
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 65%; text-align: center;">(1) NAME OF CHILD (Last, First, Middle Initial)</th> <th style="width: 35%; text-align: center;">(2) DATE OF BIRTH (YYYYMMDD)</th> </tr> <tr><td style="height: 20px;"></td><td></td></tr> <tr><td style="height: 20px;"></td><td></td></tr> <tr><td style="height: 20px;"></td><td></td></tr> </table>	(1) NAME OF CHILD (Last, First, Middle Initial)	(2) DATE OF BIRTH (YYYYMMDD)						
(1) NAME OF CHILD (Last, First, Middle Initial)	(2) DATE OF BIRTH (YYYYMMDD)								
d.	Other information (please identify) or remarks.								
5a. APPLICANT'S SIGNATURE	b. DATE SIGNED								
<p style="text-align: center;">INSTRUCTIONS FOR COMPLETION OF DD FORM 2293</p> <p>GENERAL. These instructions govern an application for direct payment from retired pay of a Uniformed Service member in response to court ordered child support, alimony, or a division of property, under the authority of 10 USC 1408.</p> <p>SERVICE OF APPLICATION. You may serve the application by mail on the appropriate Uniformed Service designated agent. The Uniformed Services' designated agents are:</p> <p>(1) ARMY, NAVY, AIR FORCE, AND MARINE CORPS: Attn: DFAS-CL/GAG, Assistant General Counsel for Garnishment Operations, DEFENSE FINANCE AND ACCOUNTING SERVICE - CLEVELAND, P.O. Box 998002, Cleveland, OH 44199-8002;</p> <p>(2) COAST GUARD: Commanding Officer (LGL), United States Coast Guard, Human Resources Service and Information Center, 444 S.E. Quincy Street, Topeka, KS 66683-3591;</p> <p>(3) PUBLIC HEALTH SERVICE: Attn: Retired Pay Section, CB, Division of Commissioned Personnel, PUBLIC HEALTH SERVICE, Room 4-50, 5600 Fishers Lane, Rockville, MD 20857-0001;</p> <p>(4) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION: Same as U.S. Coast Guard.</p> <p>IMPORTANT NOTE: Making a false statement or claim against the United States Government is punishable. The penalty for willfully making a false claim or false statement is a maximum fine of \$10,000 or maximum imprisonment of 5 years or both (18 USC 287 and 1001).</p>									
<p>ITEM 1.</p> <p>a. Enter full name as it appears on the court order.</p> <p>b. Enter current name if different than it appears on court order.</p> <p>c. Enter Social Security Number.</p> <p>d. Enter current address.</p> <p>ITEM 2.</p> <p>a. Enter former spouse's full name as it appears on the court order.</p> <p>b. Enter former spouse's Social Security Number.</p> <p>c. Enter former spouse's branch of service.</p> <p>d. Enter former spouse's current address, if known.</p> <p>ITEM 3. Read the Request Statement carefully.</p>	<p>ITEM 4. A certified copy of a court order can be obtained from the court that issued the court order. Other documents include, but are not limited to, final divorce decree, property settlement order, and any appellate court orders. If the court order does not state that the former spouse was married to the member for ten years or more while the member performed ten years creditable service and the request is for payment of a division of property, the applicant must provide evidence to substantiate the ten years' marriage condition. Additional evidence must show that the ten years' requirement has been met, including: Uniformed Service orders, marriage certificate, and other documents that establish the period of marriage. Other information or documents included with the request should be clearly identified by the document's title and date. Remarks may be provided to clarify specific points.</p> <p>ITEM 5. Self-explanatory.</p>								